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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,426	08/30/2001	Vladislav Vashchenko	75292/13356	1844
. 75	90 10/28/2003		EXAMINER	
Jurgen K Vollrath			NADAV, ORI	
588 Sutter Street #531 San Francisco, CA 94102			ART UNIT	PAPER NUMBER
San Francisco,	CA 94102		2811	
			DATE MAIL ED: 10/28/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

Applicatin N . OB/944,426 VASHCHENKO, VLADISLAV  D09/944,426 Examiner			M.				
## Examiner   pri in adaw   2811    ## The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Peri d for Reply  ## A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE of FT HIS COMMUNICATION.  ## Educations of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be limitely filled.  ## 100 period for reply is apecified above, the maniforms statisticary private within the statisticary private within the statisticary private within the statisticary private within the statisticary private with the private with the statisticary private with the statisticary private with statisticary private with the statisticary private with the practice under Exparte Quaryle, 1935 C.D. 11, 453 O.G. 213.  ### Status with the private with the practice under Exparte Quaryle, 1935 C.D. 11, 453 O.G. 213.  ### Disposition of Claims  ### Application is objected to by the Examiner.  ### Claim(s) is/are allowed.  ### Claim(s) is/are with the application.  ### Claim(s) is/are allowed.  ### Claim(s)		Applicati n N .	Applicant(s)				
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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Edensions of time may be available under the growing and state of the provision of 37 CFR 1.38(a), in no avent, however, may a reply be limely filled.  Edensions of time may be available under the growing and the provision of 37 CFR 1.38(a), in no avent, however, may a reply be limely filled.  Edensions of time may be available under the growing and the provision of 37 CFR 1.38(a), in no avent, however, may a reply be limely filled.  Edensions of time may be available under the growing and the provision of the statutory minimum of thirty (20) days will be considered limely.  Edensions of the major the provision of the statutory minimum of thirty (20) days will be considered limely.  Edensions of the major the provision of the statutory minimum of thirty (20) days will be considered limely.  Edensions of the statutory will be considered limely.  Failus to reply which be set or extended partote for provision by setting the statutory minimum of thirty (20) days will be considered limely.  Failus to reply which be set or extended partote for provision by the statutory minimum of thirty (20) days will be considered limely.  Failus to reply which he set or extended partote for provision special by application.  Status  1) Responsive to communication(s) filled on 19 August 2003.  2a) This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Exparte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-5 is/are pending in the application.  4) Claim(s) 1-5 is/are pending in the application.  4) Claim(s) 1-5 is/are pending in the application on the application on the major provision of the merits is closed in accordance with the provisional application on the forawing(s) filled on 1-1 is/are vibrate and the provisional application on 1-	•						
THE MAILING DATE OF THIS COMMUNICATION.  - Edemions of time my be semiballe under the provisions of 37 CPR 1.136(a). In no event, however, may a reply be timely filled after \$10,000 MITTS from the malling date of this communication.  - If the period for reply specified since he lass than thin (50) days, a reply within the set or extended period for reply veil, the saturacy minimum of thin's (30) days, and the considerated timely.  - Failure to reply within the set or extended period for reply veil, by statute, cause the application to become ABANDONED (28 U.S.C. § 133).  - Any reply received by the Office table than three more mailing date of this communication, even if timely filled, may reduce any examed patient term adjustment. See 37 CPR 1.704(b).  Status  1)							
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	Attachment(s)						
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6) Other:  U.S. Patent and Trademark Office	Notice of Draftsperson's Patent Drawing Review (PTO-948)     Information Disclosure Statement(s) (PTO-1449) Paper No(s)	5) Notice of Informal I					

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#### **DETAILED ACTION**

In view of the appeal brief filed on 8/19/2003, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
  - (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

### Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2-6 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claimed limitation of forming at least one additional p region, as recited in claim 2, is unclear since no p region was previously recited in the claim.

The claimed limitation of an LVTSCR-like structure, as recited in claim 3, is unclear as to which device applicant refers as an LVTSCR-like structure.

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The claimed limitation of a voltage across the at least one diode is exceeded, as recited in claim 6, is unclear as to which level does the voltage exceed.

The claimed limitation of "at least one diode is formed in the p well which provides a lower resistance current path", as recited in claim 6, is unclear as to which element provides a lower resistance current path.

## Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.Ş.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- Claims 2-6, insofar as in compliance with 35 U.S.C. 112, are 1. rejected under 35 U.S.C. 102(b) as being anticipated by Ker et al. (5,572,394). Ker et al. teach in figure 12 and related text a method of increasing the holding voltage of a LVTSCR like structure comprising forming at least one additional p region and n region inside a p well (see figures 13-16) of the structure to provide a p-n junction that is forward biased during normal operation (for example, and not limited to 1284, 1276, 1278), and providing an alternative current path from anode to cathode through a p well of the structure, other than purely the current path from anode to cathode through the p material of the p well, defining a lower

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resistance current path than the p well and takes the form of at least one p region and n region defining a p-n junction diode formed in the p well and being forward biased during normal operation.

### Response to Arguments

2. Applicant's arguments with respect to claims 2-6 have been considered but are most in view of the new ground(s) of rejection.

Papers related to this application may be submitted to Technology center (TC) 2800 by facsimile transmission. Papers should be faxed to TC 2800 via the TC 2800 Fax center located in Crystal Plaza 4, room 4-C23. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The Group 2811 Fax Center number is (703) 308-7722 and 308-7724. The Group 2811 Fax Center is to be used only for papers related to Group 2811 applications.

Any inquiry concerning this communication or any earlier communication from the Examiner should be directed to *Examiner Nadav* whose telephone number is **(703) 308-8138**. The Examiner is in the Office generally between the hours of 7 AM to 4 PM (Eastern Standard Time) Monday through Friday. If attempts to

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reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Lee, can be reached at (703) 308-1690.

Any inquiry of a general nature or relating to the status of this application should be directed to the **Technology Center Receptionists** whose telephone number is **308-0956**.

O.N. October 24, 2003

ORI NADAV
PATENT EXAMINER
TECHNOLOGY CENTER 2800

U. Nal